

### **REMARKS**

Claims 1 to 23 and 47 to 57 were pending on the December 2, 2008 notification date of the non-final Office Action. Each of these claims has been cancelled, without prejudice or disclaimer of subject matter, and new claims 58 to 96 have been added. Claims 58, 71 and 84 are the independent claims. Reconsideration and further examination are respectfully requested.

Initially, since support for the features recited by the independent claims is recited throughout the disclosure, including at least FIGS. 35 to 46 and the accompanying description, the Applicants submit that no new matter has been added. Furthermore, since the new claims recite similar, though not identical, features as those recited by the elected but cancelled claims, the Applicants submit that the same "invention" has been claimed herein.

In the Office Action, claims 1 to 11 and 47 to 57 were rejected under 35 U.S.C. § 102(e) over U.S. Patent Application Publication No. 2003/0227392 ("Ebert"). As noted above, each of these claims have been cancelled, without conceding the correctness of the rejection, and new claims 58 to 96 have been added which further clarify other distinctive features. To the extent that the Examiner believes that the new claims may be obvious over any contemplated combination of references which includes Ebert, the Applicants' undersigned representative confirms that, at the time they were made, the above-identified application and Ebert were owned by or subject to an obligation of assignment to SAP Aktiengesellschaft. Withdrawal of the § 102 rejection and further examination are requested.

Referring to particular claim language, independent claim 84 has been amended to add several additional features, including:

- "receiving a first user input identifying a job type mode, the first user input being input using the first modality or the second modality, and the job type mode being selected from among a stocking mode, a picking mode, and a counting mode"
- "receiving a response to the information identifying the user-selected job type mode from the server, in formats consistent with both the first modality and the second modality, the

response identifying a location at which the user will perform a function related to the user-selected job type mode on an item”

- “receiving a second user input using the first modality or the second modality, the second user input indicating a completion of the function, and including count information or location information associated with the item”
- “transmitting information indicating the completion of the function related to the user-selected job type mode, in a format consistent with the modality in which the second user input was received”

Independent claims 58 and 71 recite similar features, in other contexts. Since these features are newly added and have not yet been asserted by the Office Action to be taught by any reference, a case of anticipation has not been shown.

#### Conclusion

The other rejected claims in the application are each dependent on these independent claims and are thus allowable over the applied reference for at least the same reasons. Because each claim is deemed to define additional aspects of the disclosure, however, the individual consideration of each claim on its own merits is respectfully requested.

All of the pending issues have been addressed. However, the absence of a reply to a specific rejection, objection, issue, or comment, including the Office Action's characterizations of the reference, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Since the amendments made herein have been made solely in an effort to expedite advancement of this case, the Applicants reserve the right to prosecute the rejected claims in further prosecution of this or related applications.

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No other matters being raised, it is believed that the entire application is fully in condition for allowance and such action is courteously solicited.

No fees are due. Please apply any charges not otherwise paid, or apply any credits to deposit account 06-1050.

Respectfully submitted,

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